

PHILLIP A. TALBERT
United States Attorney
ALSTYN BENNETT
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

VICTOR ANGELES SERRANO NASH,

Defendant.

CASE NO. 2:22-CR-00122-JAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: April 18, 2023
TIME: 9:00 a.m.
COURT: Hon. John A. Mendez

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on April 18, 2023.
2. By this stipulation, defendant now moves to continue the status conference until June 27, 2023 at 9:00 a.m., and to exclude time between April 18, 2023, and **June 27, 2023, at 09:00 a.m.**, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes investigative reports and related documents, as well as audio and video files, in electronic form including approximately 85 pages of documents. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

1 b) Counsel for defendant desires additional time to review the discovery and current
2 charges, consult with his client, conduct investigation and research, to review and copy discovery
3 in this matter, and to discuss potential resolutions with his client.

4 c) Counsel for defendant believes that failure to grant the above-requested
5 continuance would deny him the reasonable time necessary for effective preparation, taking into
6 account the exercise of due diligence.

7 d) Defendant is currently housed at the Butte County Jail in Oroville, California. On
8 March 1, 2023, defense counsel was notified that defendant was arrested at the Butte County jail
9 and subsequently charged by the Butte County District Attorney's Office in *People v. Victor*
10 *Angeles Serrano Nash*, Butte County Superior Court Case Number 23CF00894, with a felony
11 violation of California Penal Code Section 4573.6(a) – Possession of a Controlled Substance or
12 Paraphernalia in Custodial Facility. Defense counsel requires additional time to investigate this
13 charge and confer with counsel on the state charges.

14 e) The government does not object to the continuance.

15 f) Based on the above-stated findings, the ends of justice served by continuing the
16 case as requested outweigh the interest of the public and the defendant in a trial within the
17 original date prescribed by the Speedy Trial Act.

18 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
19 et seq., within which trial must commence, the time period of April 18, 2023 to June 27, 2023,
20 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
21 because it results from a continuance granted by the Court at defendant's request on the basis of
22 the Court's finding that the ends of justice served by taking such action outweigh the best interest
23 of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: April 11, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ ALSTYN BENNETT
ALSTYN BENNETT
Assistant United States Attorney

Dated: April 11, 2023

/s/ JOHNNY L. GRIFFIN III
JOHNNY L. GRIFFIN III
Counsel for Defendant
VICTOR ANGELES
SERRANO NASH

ORDER

IT IS SO FOUND AND ORDERED.

Dated: April 12, 2023

/s/ John A. Mendez
THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE